

124



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,782	08/22/2001	Jaswinder Pal Singh	25961-708	9031
21971	7590	09/08/2004	<div>EXAMINER</div> NGUYEN, MERILYN P	
WILSON SONSINI GOODRICH & ROSATI 650 PAGE MILL ROAD PALO ALTO, CA 943041050			<div>ART UNIT</div> 2171	<div>PAPER NUMBER</div>

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/935,782	Applicant(s) SINGH ET AL.	
	Examiner Merilyn P Nguyen	Art Unit 2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 10, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, and 24-28 is/are allowed.
- 6) ☒ Claim(s) 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>June 10, 04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Detailed action</u> . |

DETAILED ACTION

1. In response to the communication dated June 10, 2004, claims 1-13 and 24-28 are active in this application as a result of the additions of claims 24-28.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant:
 - The applicant amendment has been considered and made of record dated June 10, 2004.
 - Information Disclosure Statement (IDS) filed on June 10, 2004 and made of record. The references cited on the PTOL 1449 form have been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, this claim contains indefinite limitation. The term “a web page” at line 11 may be contradicted with the rest of the claim. It makes the claim inconsistent and indefinite since a broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the

Art Unit: 2171

resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 4 recites the broad recitation "electronic documents", and the claim also recites "web page" which is the narrower statement of the range/limitation.

Regarding claims 4 and 9, there is insufficient antecedent basis for "in one or more sequences of views and each view of one or more views among the plurality of pre-defined views". It's unclear which view belongs to which set of views. Clarifying is respectfully required.

Claims 5-8 and 10-13 depend from rejected claims 4 and 9 and include all the limitations of these claims, thereby inheriting their defects.

Response to Remarks/Arguments

4. Applicant's remarks/arguments filed on 06/10/2004 about the claim rejection of the last Office Action have been fully considered, however, independent claims 4 and 9 are rejected under 35 U.S.C. 112, 2nd paragraph.

Allowable subject matter

5. Claims 4 and 9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

6. Claims 1, 24, and 27 are allowed.

None of the references of record teaches or suggests the claimed (Claim 1, 24, and 27) invention having, in addition to the other limitations in the claim, the steps of: accessing one or more web pages/electronic documents and one or more subsets of one or more web pages/electronic documents, the subsets having been extracted from the one or more web pages/electronic documents prior to receiving the search query, the subsets extracted responsive to one or more views, the one or more views defined independently of the search query, wherein the views are content-sensitive filters that specify which sub-parts of a/an web page/electronic document a user is interested in.

Dependent claims 2-3, 25-26, and 28 are allowable because they depend from based claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Slaughter U.S Patent No. 6,643,650 discloses mechanism and apparatus for using messages to look up documents stored in spaces in a distributed computing environment.

Hickman U.S Patent No. 6,523,036 discloses internet database system.

Helgeson U.S Patent No. 6,643,652 discloses method and apparatus for managing data exchange among systems in a network.

Ott U.S Patent No. 6,760,902 discloses method and apparatus for implicitly generating and supporting a user interface.

Fernandez U.S Patent No. 6,785,673 discloses method for converting relational data into XML.

Bruce Schatz, William H. Mischo, Tomothy W. Cole, Joseph B. Hardin, and Ann P. Bishop, "Federating Diverse Collections of Scientific Literature", 1996.

Hiroshi Tsuda, Kanji Uchino, and Kunio Matsui, "Work Ware: WWW-based Chronological Document Organizer", July 1998.

Hasan Davulcu, Juliana Freire, Michael Kifer, and I.V. Ramakrishnan, "A Layered Architectrue for Querying Dynamic Web Content", 1999.

David Babowal and Werner Joerg, "From Information to Knowledge: Introducing WebStract's Knowledge Engineering Approach, 1999.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2171

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



MN

September 2, 2004



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100